

RECEIVED
UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
2006 NORTHERN DIVISION

GREGORY SCOTT

Plaintiff,

v.

NORMENT SECURITY GROUP, INC.

Defendants.

DEPARTMENT OF JUSTICE
U.S. DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA

Civil Action No. 2:06cv054-

DEMAND FOR JURY TRIAL

COMPLAINT

1. Plaintiff brings this action pursuant to 42 U.S.C. Section 1981, and Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e et. seq.

2. Subject matter jurisdiction of this Court is invoked pursuant to 28 U.S.C. Sections 1331 and 1333.

3. Plaintiff is a citizen of the United States and of the State of Alabama. Plaintiff is a resident of this District. Plaintiff is an African American.

4. Defendant Norment Security Group, Inc. is located and doing business within this district. This action is brought within the state where the unlawful practice was committed.

5. The defendant is registered to do business in the State of Alabama. Plaintiff was employed by defendant to work at its Montgomery, Alabama facility.

6. Plaintiff was employed by defendant, until his termination in September 2005.

7. Plaintiff has been discriminated against on the basis of his race, African American. Defendant enforced its safety rules and regulations and other work rules in a racially discriminatory fashion.

8. Plaintiff complained about the discriminatory treatment. Defendant reassigned one of its employees as a result of the complaints.

9. Defendant discriminates against African-American employees.

10. On or about September 13, 2005, plaintiff was discharged in retaliation for complaining about racially discriminatory treatment, and because of his race. The reasons given for plaintiff's discharge were false, and were a pretext for discrimination.

11. In taking the above described actions, defendants intentionally discriminated against plaintiff on the basis of his race, and because of his complaints of discriminatory treatment. Other white employees were not treated in a similar fashion. The actions of defendant were taken with malice or reckless indifference to the federally protected rights of plaintiff.

12. As a proximate consequence of the unlawful acts of defendant, plaintiff has suffered and will suffer pecuniary losses, emotional pain, suffering, inconvenience, mental anguish, loss of enjoyment of life, and non pecuniary damages.

13. Plaintiff filed a charge of discrimination with the EEOC concerning the violations of Title VII. (Attached as Exhibit A). All administrative prerequisites to suit under Title VII have been satisfied.

COUNT ONE - § 1981

14. Plaintiff alleges and incorporates herein by reference Paragraphs 1 through 13, above.

15. Defendants' discriminatory actions toward plaintiff were in violation of 42 U.S.C. § 1981.

COUNT TWO – DISCRIMINATION

16. Plaintiff alleges and incorporates herein by reference Paragraphs 1 through 15, above.

17. The actions complained of violate Title VII, as plaintiff was discriminated against because of his race.

COUNT THREE – RETALIATION

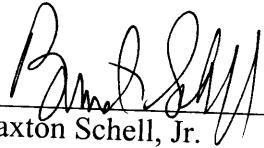
18. Plaintiff alleges and incorporates herein by reference Paragraphs 1 through 17, above.

19. The actions complained of constitute unlawful retaliation against plaintiff for exercising his rights under Title VII, and for complaining about unlawful conduct in violation of Title VII and 28 U.S.C. § 1981. Plaintiff has been damaged by defendant's unlawful actions.

WHEREFORE, plaintiff respectfully requests that this Court grant the following after trial:

- a. Grant plaintiff a declaratory judgment that the practices complained of are violative of 42 U.S.C. § 1981 and Title VII;
- b. Grant plaintiff an order enjoining defendant and all persons acting in concert with defendant from engaging in discriminatory employment practices on the basis of race;
- c. Grant plaintiff the appropriate amount of back pay, and other damages and reinstatement, or in the alternative, front pay;
- d. Grant plaintiff an award of compensatory and punitive damages;
- e. Award plaintiff his costs and expenses, including an award of reasonable attorneys fees; and

f. Award such other relief as may be appropriate.



Braxton Schell, Jr.
BRAXTON SCHELL, JR., P.C.
1330 21st Way South, Suite 210
Birmingham, AL 35205
(205) 933-8512

JURY DEMAND

Plaintiff demands a trial by jury on all issues so triable.



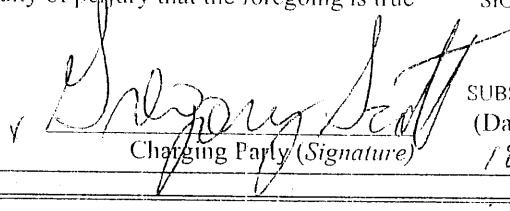
Of Counsel

PLAINTIFF'S ADDRESS:

Gregory Scott
2667 Davenport Road
Greenville, Alabama 36037

PLEASE SERVE DEFENDANT BY CERTIFIED MAIL AT:

Burtice L. Bright, SPHR
Norment Security Group
3224 Mobile Highway
Montgomery, Alabama 36108

CHARGE OF DISCRIMINATION		AGENCY	CHARGE NUMBER
This form is affected by the Privacy Act of 1974; See Privacy Act Statement before completing this form.		FEPA <input checked="" type="checkbox"/> EEOC	130-2006-01372
State or Local Agency, if any			
NAME (Indicate Mr., Ms., Mrs.) Mr. Gregory L. Scott		HOME TELEPHONE (Incl. Area Code) (334) 382-6968	
STREET ADDRESS 2667 Davenport Road	CITY, STATE AND ZIP CODE Greenville, AL 36037	DATE OF BIRTH	
NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one list below.)			
NAME Norment Security Group, Inc.	NUMBER OF EMPLOYEES, MEMBERS More than 300	TELEPHONE (Incl. Area Code) (334) 281-8440	
STREET ADDRESS 3224 Mobile Hwy	CITY, STATE AND ZIP CODE Montgomery, Alabama 36108	COUNTY Montgomery	
CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es))			
<input checked="" type="checkbox"/> RACE	COLOR	SEX	RELIGION
<input checked="" type="checkbox"/> RETALIATION AGE DISABILITY OTHER (Specify)			
DATE DISCRIMINATION TOOK PLACE Earliest - Latest - September 2005 <input type="checkbox"/> CONTINUING ACTION			
THE PARTICULARS ARE (If additional space is needed, attach extra sheet(s)):			
<p>1. I am Gregory Scott, an African American citizen of the United States residing in Alabama.</p> <p>2. I was employed by Norment for several months until my termination in September, 2005.</p> <p>3. Prior to my termination, I complained about racially discriminatory enforcement of Norment's rules about personal safety equipment and other matters. In response to my complaints, the employee in charge of safety who had been discriminating against me was reassigned or had his duties changed.</p> <p>4. Approximately two weeks after my complaint, I was terminated prior to the expiration of my probationary period. Respondent has given more than one reason for my termination. On information and belief, other similarly situated probationary employees who did not complain about discrimination and who were not African American were not terminated. I believe I have been discriminated against on the basis of my race and in retaliation for my complaints, all in violation of Title VII.</p>			
<p>I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or telephone number and cooperate fully with them in the processing of my charge in accordance with their procedures.</p>			
<p>I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. NOTARY - (When necessary for State and Local Requirements)</p>			
I declare under penalty of perjury that the foregoing is true and correct.		SIGNATURE OF COMPLAINANT	
Date: <input checked="" type="checkbox"/>	Charging Party (Signature) 	SUBSCRIBED AND SWORN TO RECEIVED THIS DATE (Day, month, and year) 18/10/2005 EEOC	
DEC 8 2005			

BIRMINGHAM DISTRICT OFFICE